



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2403997
Applicant Name: Chris Trujillo
Address of Proposal: 2002 15th Avenue S

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide one (1) parcel into four unit lots. This subdivision of property is only for the purpose of allowing sale or lease of the unit lots. Development standards will be applied to the original parcel and not to each of the unit lots. The construction of the two, two-unit townhouses have been reviewed under Project #2307360 (Permit #742847).

The following approval is required:

Short Subdivision – to subdivide one (1) existing parcel into four unit lots.
(Seattle Municipal Code Chapter 23.24)

BACKGROUND DATA

Zoning: L-1
Date of Site Visit: NA
Uses on Site: Single Family Residential

Substantive Site Characteristics: The proposal site is the corner lot south of S Plum Street abutting the east side of 15th Avenue S and bounded to the east by an existing improved alley. The properties to the east across the existing alley are developed with single family dwellings. The properties adjacent to the south in the same side of the block are developed with single family dwellings and a duplex. The area to the west across 15th Avenue S is developed with duplexes, triplexes, an office building fronting 14th Avenue S and a few single family residential structures. To the northwest across 15th Avenue S and to the north across S Plum Street the

development is mostly single family dwellings, a few duplexes, six townhouses, a fourplex and an apartment building. Farther to the northeast direction beyond 16th Avenue S, the area is developed with single family dwellings.

The streets within the immediate vicinity are improved to standards with curbs, planting strips and sidewalks. 15th Avenue S is an arterial street and S Plum Street is a residential access street. The vehicle access to the common surface parking area for all the units is off of the abutting improved alley. Pedestrian accesses to the dwelling units are from 15th Avenue S, S Plum Street and from the existing alley.

Public Comments:

No public comment letter was received during the comment period which started on July 1, 2004 and ended on July 14, 2004. No request for extension of the comment period was received.

ANALYSIS – SHORT SUBDIVISION

Pursuant to SMC 23.24.040, no short plat shall be approved unless all of the following applicable facts and conditions are found to exist.

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities and fire protection, as provided in Section 23.53.005;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions in environmentally critical areas;*
6. *Is designed to maximize the retention of existing trees; and*
7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

Summary – Short Subdivision:

Based upon the information provided by the applicant, the referral comments as appropriate from DPD, Fire Department (SFD), Water (SPU), Seattle City Light and Seattle Department of Transportation (SDOT), and the review by the Land Use Planner, the above cited criteria have

been met subject to the conditions imposed at the end of this decision. With the existing improved street rights-of-way and the existing alley that is improved to City Standards, this short subdivision can be provided with vehicular access, including emergency vehicles. Adequate provisions for water supply, sanitary sewage disposal and drainage control have been provided for each lot and service is assured subject to standard conditions governing utility extensions. The proposal site is not located in a mapped environmentally critical area and no environmentally critical areas were observed on site, therefore SMC 25.09.240 is not applicable. Since the proposal site has no existing trees that meet criteria for preservation, the proponent elected the tree planting option as depicted by the landscaping plans approved with the building permit. Since all applicable criteria are met, the public use and interests are served by this proposal and further creates the potential for additional housing opportunities in the City.

ANALYSIS –UNIT LOT SUBDIVISION

Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.

- A. *The unit subdivision provisions of SMC Section 23.24.045 apply exclusively to the unit subdivision of land for townhouses, cottage housing developments, residential cluster developments, and single-family residences in zones where such uses are permitted.*
- B. *Sites developed or proposed to be developed with dwelling units listed in subsection A above, may be subdivided into individual unit lots. The development as a whole shall meet development standards applicable at the time the permit application is vested. As a result of the subdivision, development on individual unit lots may be nonconforming as to some or all of the development standards based on analysis of the individual unit lot, except that any private, usable open space for each dwelling unit shall be provided on the same lot as the dwelling unit it serves.*
- C. *Subsequent platting actions, additions or modifications to the structure(s) may not create or increase any nonconformity of the parent lot.*
- D. *Access easements and joint use and maintenance agreements shall be executed for use of common garage or parking areas, common open space (such as common courtyard space for cottage housing), and other similar features, as recorded with the Director of the King County Department of Records and Elections.*
- E. *A joint use and maintenance agreement has been included on the short plat documents and should also be included on the final documents for recording.*
- F. *Within the parent lot, required parking for a dwelling unit may be provided on a different unit lot than the lot with the dwelling unit, as long as the right to use that parking is formalized by an easement on the plat, as recorded with the Director of King County Department of Records and Elections.*

G. The facts that the unit lot is not a separate buildable lot, and that additional development of the individual unit lots may be limited as a result of the application of development standards to the parent lot shall be noted on the plat, as recorded with the Director of the King County Department of Records and Elections.

Summary – Unit Lot Subdivision

Review of this application shows that the proposed short subdivision would conform to applicable standards of SMC 23.24.045 subject to the conditions imposed at the end of this decision. The proposed developments are townhouses. The structures, as reviewed under their separate building permits, conform to the development standards for the time the permit application was vested. To assure that future owners have constructive notice that additional development may be limited; the applicant will be required to add a note to the face of the plat that reads as follows: *“The lots created by this unit subdivision are not separate buildable lots. Additional development on these unit lots in this unit subdivision may be limited as a result of the application of development standards to their parent lot pursuant to applicable provisions of the Seattle Land Use Code.”* A joint use and maintenance agreement will be required as conditioned at the end of this decision. Parking and open space will be provided for each site.

DECISION-SHORT SUBDIVISION

The proposed Short Subdivision is **CONDITIONALLY GRANTED**. Applicant must meet all standard recording requirements, conditions and/or requirements as attached to approval cover letter. Applicant must provide and expand maintenance agreement as stated below.

CONDITIONS-SHORT SUBDIVISION

Conditions of Approval Prior to Recording

The owner(s) and/or responsible party(s) shall

1. Comply with all applicable standard recording requirements and instructions.
2. Expand the common maintenance agreement to ensure that all owners are responsible, individually and separately, for the maintenance of the vehicle accesses from the alley, the landscaped open spaces, the pedestrian walkways in common use by all the unit owners, the maintenance of the landscaped areas and street trees on the abutting street rights-of-way, and by keeping the alley right-of-way free of obstructions to allow free flow of traffic at all times.
3. Provide easement as required by City Light for electrical service to the proposed lots per Seattle City Light memorandum P.M. #240408-1-010. Show this easement on the face of the plat.

4. Add the following note to the face of the plat: *'The lots created by this unit subdivision are not separate buildable lots. Additional development on these unit lots in this unit subdivision may be limited as a result of the application of development standards to their parent lot pursuant to applicable provisions of the Seattle Land Use Code.'*
5. Provide an area to allow for the posting of address for Unit Lot B and Unit Lot C at a location visible from S Plum Street, and provide a covenant and/or easement to ensure that address signage is maintained.

Conditions of Approval Following Recording

Prior to issuance of any building permit:

1. The owner(s) and/or responsible party(s) shall attach a copy of the recorded short subdivision to all permit application plans for any application for a permit to demolish, construct, or change of use.

Signature: (signature on file) Date: February 10, 2005
Edgardo R. Manlangit, Land Use Planner
Department of Planning and Development
Land Use Services